

REMARKS

Objection to the Specification

The Examiner objected to the specification due to the presence of two typographical errors. The specification has been amended herein to correct these typographical errors. As a result, the Examiner's objection to the specification has been overcome.

Objection to claims 1 and 6

The Examiner objected to claims 1 and 6 because the conjunction "and" was inadvertently omitted from these claims. Claims 1 and 6 have been amended herein to include the conjunction "and" before the final phrase, thereby overcoming the Examiner's objection to claims 1 and 6.

Rejection of claims 1-12 under 35 U.S.C. §102(b) as being anticipated by Ywoskus

The Examiner rejected claims 1-12 under 35 U.S.C. §102(b) as being anticipated by Ywoskus. Ywoskus discloses a sliding send window that is used in point-to-point TCP communications. The independent claims, namely claims 1, 4, 6 and 9, have been amended herein to recite that the cluster communication mechanism includes a sliding send window that communicates at least one ordered message to a *plurality of other computer systems* without waiting for an acknowledgment from any of the plurality of other computer systems before sending out the next ordered message. The TCP communication in Ywoskus is point-to-point, and is representative of the sliding send window that is known in the art and discussed in applicant's specification at p. 2 line 23 to p. 3 line 9, which states:

The concept of a “sliding send window” is known in the art with reference to Transmission Control Protocol (TCP) point-to-point messages. A sliding send window allows multiple messages to be sent without waiting for an individual acknowledgment to each message before sending the next message. While a sliding send window is known for point-to-point communications using TCP, a sliding send window has not been used in a clustered computing environment because it presents particular problems that have not been solved to date. In particular, the requirement for processing ordered messages that are multicast to several nodes in the same order on all nodes is not possible using the prior art TCP sliding send window, because IP does not enforce the ordering of messages. For this reason, IP multicast communications in a clustered computing environment have not benefitted from the use of a sliding send window.

The claims as amended herein clearly recite communication of at least one ordered message to a plurality of other computer systems. The point-to-point TCP communications in Ywoskus clearly teaches away from this clustered communication to multiple computer systems in the claims. For this reason, claims 1, 4, 6 and 9 as amended are allowable over Ywoskus, and applicants respectfully request allowance of these claims. In addition, claims 2, 3, 5, 7, 8, and 10-20 depend on claims that are allowable for the reasons given above. As a result, claims 2, 3, 5, 7, 8, and 10-20 are allowable as depending on allowable independent claims.

New claims 13-20

New claims 13-20 are added to more particularly claim details of the invention. In particular, claims 13, 17 and 19 all recite communication to the other computer systems via IP multicast. The TCP point-to-point communications in Ywoskus expressly teach away from communicating with multiple computer systems via IP multicast. In addition, new claims 14, 18 and 20 all recite enforcing the order of the ordered messages in the same order they were received. As stated in the excerpt above from applicant's specification, IP does not enforce the ordering of messages, so the order of executing the TCP messages in Ywoskus is not guaranteed to be the same order as the messages were received. For this reason, claims 14, 18 and 20 clearly distinguish over Ywoskus, and are allowable. Applicants respectfully assert that all of claims 13-20 are allowable, and request allowance of these claims.

Conclusion

In summary, none of the cited prior art, either alone or in combination, teach, support, or suggest the unique combination of features in applicant's claims presently on file. Therefore, applicant respectfully asserts that all of applicant's claims are allowable. Such allowance at an early date is respectfully requested. The Examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

Respectfully submitted,

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